also states that it is open to doubt "whether Germany's invasion of Belgium, with no other object but a passage through her confines in order to reach the northern parts of France, and after formal assurances as to Belgium's independence and integrity had been given, constituted *ipso jure* a breach of Belgium's neutrality."

Such citations as above from what is entitled "The Legal Aspects of Belgium's Neutrality" clearly show the thesis the writer is endeavoring to maintain.

There are several valuable documents in the Appendix.

The book by Dr. Waxweiler, who was the director of the Solway Institute of Sociology at Brussels, claims "to clear up every doubt and furnish material for a considered judgment." This book has also appeared in French and German. It shows the peaceful penetration of Germans into the industrial, economic, and social life of Belgium, up to 7 P. M., August 2, 1914, also showing why, after considering the statements of Jagow and Bernhardi, King Albert of Belgium became an advocate of preparedness. He also shows that the German statement that if Belgium would maintain "friendly neutrality" Germany would at the conclusion of the war "guarantee the possessions and independence of the Belgium Kingdom in full," presumes a result of the war which Belgium could not in August, 1914, foretell. Then follow the well-known discussions of the statement of the German Chancellor that the entrance into Belgian territory by force was in violation of the law and that indemnities would be paid at the close of the war. The negotiations of the early days of the hostilities, including the "scrap of paper" incident, etc., are reviewed. Accusations and counter accusations are considered. The German rules of war and their application to Belgium form the concluding chapter. Manifestly it is too early, and the data is insufficient, to enable one who would form a just estimate of these contentions to come to a final judgment upon many of the matters considered in this book. In general, however, it may be said that the temper of the book is more moderate and the basis for the conclusions is more sound than in the work of Dr. Fuehr.

Like all books issued with the object of presenting the case for one or another party in the present struggle, there is an undue stress upon the positions which may be more advantageous to the side whose case is favored. This book has a brief appendix and also a convenient index. GEORGE GRAFTON WILSON.

THE COMMODITIES CLAUSE. By Thomas Latimer Kibler. Washington, D. C.: John Byrne & Company. 1916. pp. 178.

Into this legal-economic treatise Professor Kibler has condensed a great amount of interesting and valuable information as to the inevitable tendency to monopoly where railroad companies engage in any non-transportation business in competition with other shippers over their lines. Confining his discussion chiefly to the coal business and basing it upon the findings of the Interstate Commerce Commission and the facts disclosed in various suits brought by the federal government, he shows convincingly that the failure of this country to follow the example of Europe and to divorce transportation altogether from other enterprises has led to the monopolization by railroad companies of much the greater part of the anthracite and bituminous coal fields along their respective lines and that this process of monopolization is still going on.

His discussion of the Commodities Clause of the Interstate Commerce Act, passed in 1906 to remedy this situation, may be summarized as follows. In *United States* v. *Delaware & Hudson Co.*, 213 U. S. 366, the Supreme Court held that, despite the sweeping language of the act, nevertheless in view of its legislative history, it must be construed as not prohibiting a railroad company

(1) from owning stock, even all of the stock, of a *bonâ fide* corporation engaged in mining, producing and shipping commodities over its lines, or (2) from transporting commodities mined or otherwise produced by the railroad company itself, provided it has in good faith dissociated itself from such commodities prior to the act of transportation — sale to a *bonâ fide* separate corporation whose stock is owned by the railroad company, apparently constituting such dissociation. Although in subsequent decisions the Supreme Court has shown a disposition to give to the act the most effective possible construction consistent with these limitations, nevertheless so long as they exist no real dissociation will ever be accomplished.

He urges, therefore, in some detail, legislation designed to sweep away these limitations and to secure a genuine separation of railroad companies from any business other than that of common carriage. Both on the merits and for the purpose of disarming opposition, these suggestions should be modified to the extent of permitting mining and producing companies, on application to the Interstate Commerce Commission, to build and operate such lateral branch lines or spur tracks as may be reasonably necessary to reach a trunk line railroad. Broadly speaking, however, these suggestions accord with repeated utterances of the Interstate Commerce Commission and of the Attorney General and will doubtless meet the approval of most disinterested persons.

The concluding section in which Professor Kibler seems to advocate extending "the principle of dissociation" to "any two industries that are complementary in their nature" will not be so generally accepted. Common carriers, whose facilities other shippers are under compulsion to use, stand upon a very different footing from any ordinary business. Most readers will be doubtful indeed as to the wisdom of prohibiting the union of complementary industries generally — the mere integration of industry.

The usefulness of the book for legal reference purposes would be increased by a proper table of cases cited and by a reference to the cases of *United States* v. *D. L. & W. R. Co.*, 231 U. S. 363; *The Tap Line Cases*, 234 U. S. 1, 27; and *United States* v. *Lake Shore & M. S. R. Co.*, 203 Fed. 295, 315, 319.

THURLOW M. GORDON.

CLINICAL STUDIES IN THE RELATIONSHIP OF INSANITY TO CRIME. By Paul E. Bowers, M.S., M.D. Michigan City, Indiana: The Dispatch Print. pp. 104.

Lawyers are beginning to admit that there is no such sharp division between the legally responsible and the legally irresponsible as they used to believe. Science is pressing upon them the realization that a penalty affixed to an act by law is less often an efficacious preventive of the act than the law supposes. Instead of sending the malefactor to prison only to let him out later, the psychiatrists are demanding an opportunity to try their new-found learning on him in a hospital. And to this plea they add the assurance that in case of failure they will isolate him for good and not for a time only. It is clear that the opportunity must be given them. Crime must follow disease into the hands of the scientists.

Dr. Bowers' monograph is an attempt to draw the line between the responsible and the irresponsible. He believes that too many of the latter are sent to the prison, and his thesis is a more accurate division of the field between the prison and the hospital. To do this it is first necessary to get an exact idea of the relation between the abnormal mind and the abnormal act, for, so far at least, the only method of classifying men the law knows is by their acts. "By their fruits shall ye know them" is peculiarly true of the criminal. This relation the author tries to show by a series of clinical cases. For "theoretical discussions," he